



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

treaties are printed for the readers convenience in the SUPPLEMENT to this number of the JOURNAL.⁷

It is well-nigh impossible to overestimate the importance of this treaty, both to Japan and the United States, for it removes from the foreign relations of both countries the only real menace to the maintenance of peace, and both countries are to be congratulated upon the fact that the statesmen in charge of their foreign relations have had the courage and the wisdom to meet and to solve a difficulty by means equally honorable to both nations. President Taft and Secretary Knox are especially to be congratulated for negotiating a treaty so just, honorable and equitable in all its parts, notwithstanding the fear that local interests might seem to certain sections of the country to be sacrificed to the greater interests of the country as a whole. That local interests did not oppose the treaty is evidence of the great caution and conciliatory manner in which President Taft and Secretary Knox conducted the negotiations, and the fact that the treaty has been accepted without opposition by all sections of our country is evidence that public opinion may be confidently appealed to if the question at issue be fairly stated and discussed in advance of contemplated action.

President Taft and Secretary Knox deserve well of their countrymen, for by this treaty they have shown a sincere and commendable desire to maintain peace based upon the principles of justice and a proper regard for the interests of a foreign and progressive country.

THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

Mr. Carnegie's munificent gift of ten million dollars and its income to advance the cause of peace was the subject of comment in the January issue of the JOURNAL, page 210. The trustees appointed by Mr. Carnegie met in Washington on March 9, 1911, and effected a permanent organization in order to carry out the purposes of the trust. The trustees at this meeting unanimously adopted the following statement of the objects and purposes of the endowment, namely, "to advance the cause of peace among nations, to hasten the abolition of international war, and to encourage and promote a peaceful settlement of international differences." Following this general statement, the trustees enumerated in a series of paragraphs the specific purposes of the endowment and the means and

⁷ Pages 100 and 106.

instrumentalities by which the purposes of the trust will be effected. These paragraphs read as follows:

(a) To promote a thorough and scientific investigation and study of the causes of war and of the practical methods to prevent and avoid it.

(b) To aid in the development of international law, and a general agreement on the rules thereof, and the acceptance of the same among nations.

(c) To diffuse information, and to educate public opinion regarding the causes, nature and effects of war, and means for its prevention and avoidance.

(d) To establish a better understanding of international rights and duties and a more perfect sense of international justice among the inhabitants of civilized countries.

(e) To cultivate friendly feelings between the inhabitants of different countries, and to increase the knowledge and understanding of each other by the several nations.

(f) To promote a general acceptance of peaceable methods in the settlement of international disputes.

(g) To maintain, promote, and assist such establishments, organizations, associations, and agencies as shall be deemed necessary or useful in the accomplishment of the purposes of the corporation, or any of them.

(h) To take and hold such property, real or personal, and to invest and keep invested and receive and apply the income of such funds, and to construct and maintain such buildings or establishments, as shall be deemed necessary to prosecute and develop the purposes of the corporation, or any of them.

(i) To do and perform all lawful acts or things necessary or proper in the judgment of the trustees to promote the objects of the corporation.

An examination of the various activities of the endowment set forth in the paragraphs above quoted shows that they fall within three general groups: First, a careful study of the principles of international law involved in peace and its maintenance (b, d and f); second, a purely scientific study and investigation of the causes of war, for if war is to be avoided, the causes which have led to it must be studied and analyzed in all their aspects in order to determine "the practical methods to prevent and avoid it" (a); third, the propaganda to be undertaken by the endowment in order to realize the purposes for which it was created (c, e, g, h). Paragraph (i) confers power upon the trustees generally to take action other than that specified in the preceding paragraphs in order to promote the objects of the endowment.

The trustees adopted a set of by-laws and elected permanent officers to carry on the work of the endowment. The officers of the endowment are: Elihu Root, *President*; Joseph H. Choate, *Vice-President*; James Brown Scott, *Secretary*; Walter M. Gilbert, *Treasurer*; executive committee — Nicholas Murray Butler, John W. Foster, Andrew J. Mon-

tague, Henry S. Pritchett, Elihu Root, *Chairman*, James Brown Scott, *Secretary*, Charlemagne Tower; finance committee — Robert A. Franks, Samuel Mather, George W. Perkins, *Chairman*.

VIRGINIA V. WEST VIRGINIA

In the case of *Virginia v. West Virginia*, decided by the Supreme Court of the United States on March 6, 1911, the court again vindicated its claim to be considered as an international tribunal, because it decided a case between two equal, if not sovereign, States of the Union as if the controversy were international.

Briefly stated, that part of Virginia which remained loyal to the Union was split off from the larger part of Virginia, then in rebellion, and erected into a State under the name of West Virginia. The State of Virginia was indebted at the time of the separation in the sum of thirty-three million dollars, and West Virginia by an ordinance agreed to assume and to extinguish "a just proportion of the public debt of the Commonwealth of Virginia prior to the first day of January, 1861, to be ascertained by charging to it all State expenditures within the limits thereof, and a just proportion of the ordinary expenses of the State government, since any part of said debt was contracted."

Article eight, section eight of the Constitution of West Virginia provided that "an equitable portion of the public debt of the Commonwealth of Virginia, prior to the first of January, in the year one thousand eight hundred and sixty-one, shall be assumed by this State; and the legislature shall ascertain the same as soon as may be practicable."

The debt assumed not having been paid, Virginia brought suit against West Virginia in the Supreme Court of the United States, and that tribunal through Justice Holmes, stated that "the case is to be considered in the untechnical spirit appropriate for dealing with a *quasi*-international controversy, remembering that there is no municipal code governing the matter, and that this court may be called on to adjust differences that can not be dealt with by Congress or disposed of by the legislature of either side alone."

The court finds that the ordinance and constitution of West Virginia constituted a contract and that "West Virginia must be taken to have promised to Virginia to pay her share, whoever might be the persons to whom ultimately the payment was to be made." The court, therefore,